

**RESOLUTION 21-15 - AUTHORIZING AUTHORITY EXPENDITURES
PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2021 THROUGH
DECEMBER 31, 2021**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 01-84 requiring Commissioner review and approval of all Authority expenditures in excess of \$25,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$25,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY
VENDORS PROJECTED TO BE PAID OVER \$25,000
FOR THE PERIOD 1/1/21 THROUGH 12/31/21

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Airpower International, Inc.	Breathing Air Compressor for CMLF Vessels	Proprietary	\$32,000
Delaware Elevator, Inc.	Authority Wide Interior Elevator Maintenance & Inspection	Quotes	\$44,000
Liberty Parks & Playgrounds, Inc.	Playground Equipment for Cape May and Lewes Ferry Terminals	State Contract	\$44,000

NOW, THEREFORE, BE IT RESOLVED, that the Authority authorizes expenditures to the above-listed vendors for the described purposes and authorizes payment.

Resolution 21-15 Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2021 through December 31, 2021.

Committee: Budget & Finance

Committee and Board Date: May 18, 2021

Purpose of Resolution:

Authorizes expenditures of \$25,000 or greater with the identified vendors during the 2021 calendar year.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 01-84, whereby the Authority shall not enter into any contract committing the Authority to spend or make any other expenditures relating to services, material and supplies in the amount of \$25,000 or more unless it has first been approved by a vote of Commissioners.

Purchase Detail:

Airpower International, Inc: Breathing Air Compressor for CMLF Vessels

The Authority intends to purchase one (1) EagleAir model SRCB10R breathing air compressor for use in recharging the existing EagleAir SCBA cylinders (USCG-mandated for fire-fighting on the vessels). Airpower International, Inc. is the only authorized sales and service distributor of EagleAir breathing air products in New Jersey and Delaware.

Delaware Elevator, Inc: Authority-Wide Interior Elevator Maintenance & Inspection

The Authority utilizes an elevator contractor perform annual safety inspections, pressure testing and additional services for the internal building elevators. DRBA staff developed specifications for the services and solicited quotes to perform the services from eight (8) elevator contractors and received quotes from three (3). Delaware Elevator submitted the lowest bid. This year (2021) represents the first of a potential three-year contract for these services.

Liberty Parks & Playgrounds, Inc: Playground Equipment for Cape May and Lewes Ferry Terminals

The Authority has planned to purchase and install new children's playground structures at both Ferry Terminal locations. Liberty Parks & Playgrounds quoted the materials for the products using pricing from their competitively-bid state contracts (*GSS16641-Playground* and *GSS16583-Mulch*).

Classification Definitions:

Proprietary. A purchase necessary to support or maintain existing Authority equipment for which a vendor has the right to prohibit an equivalent product from being supplied. Similar products or services may be available, however the Authority must purchase from the original equipment manufacturer or service provider to uphold a contract, warranty, etc. A proprietary specification typically restricts the acceptable product or service to one manufacturer or vendor; although the product or service may be available from more than one distributor. In another typical example of this classification, a purchase of closed-source commercial software would be categorized as proprietary because the software remains the property of its owner/creator and is utilized by end-users (such as the Authority) under predefined conditions.

Quotes. A purchase of equipment, supplies or non-professional services or a contract for construction or construction management that is anticipated to cost between \$25,000 and \$49,999 during a calendar year and for which the Authority has solicited written quotes. *“Contracts for materiel and supplies and non-professional services, awarded to any [vendor for an amount of] more than \$25,000 but less than \$50,000 in the aggregate require the solicitation of three written quotes or all available sources, whichever is less... Construction management contracts or construction contracts...which are less than \$50,000 do not require formal solicitation of competitive prices and, if more than \$25,000 but less than \$50,000 require the solicitation of three written quotes or all available sources, whichever is less...”* (DRBA Resolution 98-31 Part 4).

State Contract. A purchase of equipment, supplies or non-professional services which, under normal circumstances, would require competitive bidding, however the vendor has agreed to provide the goods or services to the Authority at fees less than or equal to that vendor’s respective contract as awarded by the State of Delaware or New Jersey. *“Any contract for the purchase of materiel and supplies and non-professional services...which contract individually exceeds \$50,000, or in the combination with other contracts, exceeds \$50,000 in any one calendar year shall be pursuant to a contract entered into by the Authority after competitive bidding. This provision shall not apply to purchases by the Authority from suppliers in cases where the Authority is purchasing at prices pursuant to contracts awarded by the States of Delaware or New Jersey for state agencies.”* (DRBA Resolution 11-36 Part 2.a.).